

August 26, 2011

To: Executive Board

Subject: **Review of Veolia's Equal Employment Opportunity Program**

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### Recommendation

Authorize Foothill Transit's General Counsel to:

1. Perform an annual review of Veolia Transportation's Equal Employment Opportunity (EEO) Program; and
2. Present Veolia's EEO Program to the Foothill Transit Executive Board for approval.

### Background

Each Federal Transit Administration (FTA) grantee must ensure that no person in the United States shall on the grounds of race, color, religion, national origin, sex, age, or disability be excluded from participating in, or denied the benefits of, or be subject to discrimination in employment under any project, program, or activity receiving Federal financial assistance under the Federal transit laws.

During the recently completed FTA Triennial Review of Foothill Transit, a deficiency was found relative to the FTA requirements for Equal Employment Opportunity (EEO) oversight of its contractors.

Veolia Transportation provides oversight of Foothill Transit's operations and maintenance contractors within the scope of its management services agreement with the agency. However; under the FTA requirements, Foothill Transit must also provide oversight of Veolia's EEO program. During the most recent Triennial Review it was found that Foothill Transit has not reviewed and approved the Veolia EEO Program.

By November 21, 2011, Foothill Transit must identify a means for the Veolia EEO program to be reviewed, and accept the program and report to the FTA that these activities have been completed. EEO Program oversight is within the scope of Special Services of Foothill Transit's General Counsel. It is anticipated that this oversight will require approximately 10 hours of time on an annual basis.

### Budget Impact

Sufficient funding is available in Foothill Transit's approved FY 2012 Business Plan to cover these services.

Sincerely,



Edward J. Gill, Jr.  
Special Legal Counsel



Doran J. Barnes  
Executive Director